

ORIGINAL



0000082720

BEFORE THE ARIZONA CORPORATION COMMISSION

2540

COMMISSIONERS

2008 MAR 18 P 1:59

MIKE GLEASON - Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

DOCKET NO. S-20554A-07-0552

G'IEBER FINANCIAL, LLC, a Delaware limited liability company, CRD# 128954
2500 South Power Road, Ste. 2220-Rm. 213
Mesa, AZ 85208

Arizona Corporation Commission

DOCKETED

MAR 18 2008

DAVID A. GOTLIEB, CRD #2089760,
and STACEY SCIBELLI-GOTLIEB,
husband and wife,

DOCKETED BY

ne

Respondents.

PROCEDURAL ORDER

BY THE COMMISSION:

On September 28, 2007, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against David A. Gotlieb and Stacey Scibelli-Gotlieb, husband and wife, and G'IEBER Financial, LLC ("GIF") (collectively the "Respondents") in which the Division alleged multiple violations of the Investment Management Act ("IM Act") in connection with the provision of investment advice.

Respondents were duly served with copies of the notice.

On October 9, 2007, Respondents filed a request for a hearing.

On October 16, 2007, by Procedural Order, a pre-hearing conference was scheduled on November 1, 2007.

On November 1, 2007, the Division and the Respondents appeared with counsel. After a brief discussion, the Division requested that a hearing be scheduled in the spring.

On November 1, 2007, by Procedural order, a hearing was scheduled to commence on March 17, 2008.

On January 30, 2008, counsel for the Respondents filed a Motion to withdraw as counsel for

1 the Respondents. Attached to the Motion to Withdraw was a copy of an e-mail from Mr. Gotlieb sent
2 to counsel for the Division and to Respondents' counsel indicating that Mr. Gotlieb had released
3 Respondents' counsel and that he would be representing himself in the future. Copies of counsel's
4 Motion to Withdraw were sent to Mr. Gotlieb and to the Division. No objections were filed to
5 counsel's Motion to Withdraw.

6 On February 12, 2008, by Procedural Order, the Motion to Withdraw of Respondent's counsel
7 was granted.

8 On March 17, 2008, the hearing was convened before a duly authorized Administrative Law
9 Judge of the Commission at its offices in Phoenix, Arizona. The Division was present with counsel
10 and Respondents appeared on their own behalf. Counsel for the Division indicated a settlement had
11 been reached and requested that the hearing be continued indefinitely pending approval of a Consent
12 Order by the Commission at its April Open Meeting.

13 Accordingly, the Motion to Continue should be granted.


14 IT IS THEREFORE ORDERED that the hearing in the above-captioned proceeding is hereby
15 continued indefinitely.

16 IT IS FURTHER ORDERED that in the event that a hearing is necessary, the Division shall
17 file Motion to Reschedule the hearing.

18 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
19 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
20 hearing.

21 Dated this 18TH day of March, 2008.

22
23
24
25
26
27
28




MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing were mailed/delivered
this 18th day of March, 2008 to:

David A. Gotlieb
343 East Elgin Street
Gilbert, Arizona 85296

Matt Neubert, Director
Securities Division
ARIZONA CORPORATION COMMISSION
1300 West Washington Street
Phoenix, Arizona 85007

By: 
Debra Broyles
Secretary to Marc E. Stern